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CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE H. HERMOSILLO

Plaintiff,

vs.
SANTA CLARA COUNTY / S.C.C.J.
CPT. D. SEPULVEDA
SGT. P. COR SO #2348
OFF. KOLB #1778 Defendant.
OFF. WHITE #1624

C08 00915 JF

CASE NO. _____

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

I, HERMOSILLO JOSE, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.) IN CUSTODY LAST EMPLOY
 4 MORRIS COMMUNICATIONS
 5 \$4,240 GROSS MONTHLY 3,100 NET DAY
 6 PER MONTH

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

- 9 a. Business, Profession or Yes ___ No X
 10 self employment
 11 b. Income from stocks, bonds, Yes ___ No X
 12 or royalties?
 13 c. Rent payments? Yes ___ No X
 14 d. Pensions, annuities, or Yes ___ No X
 15 life insurance payments?
 16 e. Federal or State welfare payments, Yes ___ No X
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes ___ No X

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ _____

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).

5 A.S. 7 YRS B.S. 3 150.00 MONTHLY
 6 MARIA HERMOSILLO SERENA HERMOSILLO 425.00 MTH.

7 5. Do you own or are you buying a home? Yes ___ No X

8 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

9 6. Do you own an automobile? Yes ___ No X

10 Make _____ Year _____ Model _____

11 Is it financed? Yes ___ No ___ If so, Total due: \$ _____

12 Monthly Payment: \$ _____

13 7. Do you have a bank account? Yes ___ No X (Do not include account numbers.)

14 Name(s) and address(es) of bank: _____

15 _____

16 Present balance(s): \$ _____

17 Do you own any cash? Yes ___ No X Amount: \$ _____

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 19 market value.) Yes ___ No X

20 _____

21 8. What are your monthly expenses?

22 Rent: \$ 750.00 Utilities: 100.00

23 Food: \$ 200.00 Clothing: 75.00

24 Charge Accounts:

25 Name of Account Monthly Payment Total Owed on This Acct.

26 _____ \$ _____ \$ _____

27 _____ \$ _____ \$ _____

28 _____ \$ _____ \$ _____ 9. Do

1 you have any other debts? (List current obligations, indicating amounts and to whom they are
2 payable. Do not include account numbers.)

3 NO

4
5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes ___ No X

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.

9
10
11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15 1-31-08

16
17 DATE

18 Jore Hemasillo

19
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SIGNATURE OF APPLICANT

Case Number: _____

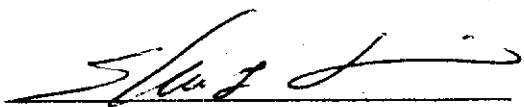
CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Hermosillo, Jose Horace for the last six months at

[prisoner name]
Santa Clara County, DOC where (s)he is confined.
[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 153.17 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 118.94.

Dated: 1/22/08


[Authorized officer of the institution]

INF Accountant

Resident Account Summary

Tuesday, January 22, 2008 @15:00

For PFN: CRE216 HERMOSILLO, JOSE HORACE

Date	Transaction Description	Amount	Balance	Owed	Held	Reference
01/22/2008	EPR	OID:100741937-ComisaryPur	-12.81	619.75	0.00	0.00
01/16/2008	DEPMO	6357802006	30.00	632.56	0.00	0.00
01/15/2008	EPR	OID:100739044-ComisaryPur	-10.86	602.56	0.00	0.00
01/08/2008	EPR	OID:100736325-ComisaryPur	-89.58	613.42	0.00	0.00
01/07/2008	DEPCA	INITIAL DEPOSIT - REINSTA	703.00	703.00	0.00	0.00
11/15/2007	WARRANT INM	RELEASE OR CLOSEOUT TRANS	-90.00	0.00	0.00	0.00
11/15/2007	WCASH MJ	RELEASE OR CLOSEOUT TRANS	-16.00	90.00	0.00	0.00
11/13/2007	DEPCA	INITIAL DEPOSIT - REINSTA	106.00	106.00	0.00	0.00
10/15/2007	WCASH MJ	RELEASE OR CLOSEOUT TRANS	-31.49	0.00	0.00	0.00
10/09/2007	EPR	OID:100698282-ComisaryPur	-10.15	31.49	0.00	0.00
09/29/2007	DEPMO	6357801803	40.00	41.64	0.00	0.00
09/18/2007	EPR	OID:100688982-ComisaryPur	-39.20	1.64	0.00	0.00
09/04/2007	EPR	OID:100682147-ComisaryPur	-11.40	40.84	0.00	0.00
08/21/2007	EPR	OID:100676821-ComisaryPur	-39.00	52.24	0.00	0.00
08/14/2007	DEPMO	6357801737	40.00	91.24	0.00	0.00
07/31/2007	EPR	OID:100667951-ComisaryPur	-15.10	51.24	0.00	0.00
07/25/2007	DEPMO	6357801708	50.00	66.34	0.00	0.00
07/24/2007	EPR	OID:100664482-ComisaryPur	-34.13	16.34	0.00	0.00
07/14/2007	DEPMO	R100514133775 MONEY GRAM	50.00	50.47	0.00	0.00
06/29/2007	EPR	OID:100655170-ComisaryPur	-17.27	0.47	0.00	0.00
06/26/2007	EPR	OID:100652959-ComisaryPur	-23.05	17.74	0.00	0.00
06/21/2007	ERF	OID:100650103-ComisaryRef	22.80	40.79	0.00	0.00
06/19/2007	EPR	OID:100650103-ComisaryPur	-22.80	17.99	0.00	0.00
06/12/2007	EPR	OID:100647070-ComisaryPur	-16.35	40.79	0.00	0.00
06/09/2007	DEPMO	6357801639	40.00	57.14	0.00	0.00
06/05/2007	EPR	OID:100644235-ComisaryPur	-2.97	17.14	0.00	0.00
05/29/2007	EPR	OID:100641258-ComisaryPur	-20.32	20.11	0.00	0.00
05/25/2007	DEPMO	6357801620	40.00	40.43	0.00	0.00
05/08/2007	EPR	OID:100632339-ComisaryPur	-3.80	0.43	0.00	0.00
05/01/2007	EPR	OID:100629860-ComisaryPur	-25.43	4.23	0.00	0.00
04/24/2007	EPR	OID:100626335-ComisaryPur	-11.01	29.66	0.00	0.00
04/17/2007	EPR	OID:100623703-ComisaryPur	-19.60	40.67	0.00	0.00
04/11/2007	DEPMO	08701293664	40.00	60.27	0.00	0.00
04/10/2007	EPR	OID:100620763-ComisaryPur	-30.15	20.27	0.00	0.00
04/06/2007	DEPMO	56127670280	50.00	50.42	0.00	0.00
03/20/2007	EPR	OID:100611902-ComisaryPur	-11.75	0.42	0.00	0.00
03/13/2007	EPR	OID:100609310-ComisaryPur	-27.87	12.17	0.00	0.00
03/08/2007	DEPMO MJ	56127666420	40.00	40.04	0.00	0.00
03/06/2007	EPR	OID:100606115-ComisaryPur	-4.56	0.04	0.00	0.00
02/27/2007	EPR	OID:100603727-ComisaryPur	-27.86	4.60	0.00	0.00
02/25/2007	DEPMO MJ	05-118222430	30.00	32.46	0.00	0.00
02/20/2007	EPR	OID:100600964-ComisaryPur	-25.04	2.46	0.00	0.00
02/17/2007	DEPMO MJ	56552115170	25.00	27.50	0.00	0.00
02/06/2007	EPR	OID:100595672-ComisaryPur	-17.92	2.50	0.00	0.00
01/30/2007	EPR	OID:100592633-ComisaryPur	-31.97	20.42	0.00	0.00
01/18/2007	DEPMO MJ	49654433576	40.00	52.39	0.00	0.00
01/16/2007	EPR	OID:100587076-ComisaryPur	-16.24	12.39	0.00	0.00
01/09/2007	EPR	OID:100584273-ComisaryPur	-21.45	28.63	0.00	0.00
01/05/2007	DEPMO MJ	48156499611	50.00	50.08	0.00	0.00
12/26/2006	EPR	OID:100578919-ComisaryPur	-3.61	0.08	0.00	0.00
12/19/2006	EPR	OID:100576327-ComisaryPur	-36.55	3.69	0.00	0.00
12/16/2006	DEPMO MJ	6357801416	40.00	40.24	0.00	0.00
12/05/2006	EPR	OID:100570705-ComisaryPur	-4.44	0.24	0.00	0.00
11/28/2006	EPR	OID:100567819-ComisaryPur	-13.69	4.68	0.00	0.00
11/21/2006	EPR	OID:100566000-ComisaryPur	-15.90	18.37	0.00	0.00
11/14/2006	EPR	OID:100562006-ComisaryPur	-22.99	34.27	0.00	0.00
11/07/2006	EPR	OID:100559149-ComisaryPur	-42.74	57.26	0.00	0.00
11/03/2006	DEPMO MJ	0047007407	100.00	100.00	0.00	0.00
10/24/2006	DCASH MJ	INITIAL DEPOSIT - REINSTA	0.00	0.00	0.00	0.00
06/16/2006	WARRANT INM	RELEASE OR CLOSEOUT TRANS	-806.70	0.00	0.00	0.00
06/16/2006	WCASH MJ	RELEASE OR CLOSEOUT TRANS	-20.00	806.70	0.00	0.00
06/09/2006	DEPMO MJ	7-7578123509	20.00	826.70	0.00	0.00
05/23/2006	EPR	OID:100493319-ComisaryPur	-3.96	806.70	0.00	0.00

Average deposits
 $= \frac{919}{6} = 153.17$

Average Bal.
 $= \frac{713.63}{6} = 118.94$

327W